

For Six Month Period Ending July 31, 2010
(Insert date)

I - REGISTRANT

1. (a) Name of Registrant
Representative of German Industry & Trade

(b) Registration No.
4274

(c) Business Address(es) of Registrant
1776 I Street, NW
Suite 1000
Washington, DC 20006

2. Has there been a change in the information previously furnished in connection with the following:

- (a) If an individual:
- | | | |
|---------------------------|------------------------------|-----------------------------|
| (1) Residence address(es) | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (2) Citizenship | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (3) Occupation | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
- (b) If an organization:
- | | | |
|--------------------------|------------------------------|--|
| (1) Name | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (2) Ownership or control | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (3) Branch offices | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
- (c) Explain fully all changes, if any, indicated in items (a) and (b) above.

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IF THE REGISTRANT IS AN INDIVIDUAL, OMIT RESPONSE TO ITEMS 3, 4 AND 5(a).

3. If you have previously filed Exhibit C¹, state whether any changes therein have occurred during this 6 month reporting period.

Yes ☐ No ☒

If yes, have you filed an amendment to the Exhibit C? Yes ☐ No ☐

If no, please attach the required amendment.

¹ The Exhibit C, for which no printed form is provided, consists of a true copy of the charter, articles of incorporation, association, and by laws of a registrant that is an organization. (A waiver of the requirement to file an Exhibit C may be obtained for good cause upon written application to the Assistant Attorney General, National Security Division, U.S. Department of Justice, Washington, DC 20530.)

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4. (a) Have any persons ceased acting as partners, officers, directors or similar officials of the registrant during this 6 month reporting period? Yes ☐ No ☒

If yes, furnish the following information:

Name	Position	Date connection ended
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- (b) Have any persons become partners, officers, directors or similar officials during this 6 month reporting period?

Yes ☐ No ☒

If yes, furnish the following information:

Name	Residence address	Citizenship	Position	Date assumed
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5. (a) Has any person named in item 4(b) rendered services directly in furtherance of the interests of any foreign principal?

Yes ☐ No ☐

If yes, identify each such person and describe his service.

- (b) Have any employees or individuals, who have filed a short form registration statement, terminated their employment or connection with the registrant during this 6 month reporting period? Yes ☐ No ☒

If yes, furnish the following information:

Name	Position or connection	Date terminated
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- (c) During this 6 month reporting period, has the registrant hired as employees or in any other capacity, any persons who rendered or will render services to the registrant directly in furtherance of the interests of any foreign principal(s) in other than a clerical or secretarial, or in a related or similar capacity? Yes ☐ No ☒

If yes, furnish the following information:

Name	Residence address	Citizenship	Position	Date assumed
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6. Have short form registration statements been filed by all of the persons named in Items 5(a) and 5(c) of the supplemental statement?

Yes ☒ No ☐

If no, list names of persons who have not filed the required statement.

II - FOREIGN PRINCIPAL

7. Has your connection with any foreign principal ended during this 6 month reporting period?

Yes ☐ No ☒

If yes, furnish the following information:

Name of foreign principal

Date of termination

8. Have you acquired any new foreign principal² during this 6 month reporting period?

Yes ☐ No ☒

If yes, furnish the following information:

Name and address of foreign principal

Date acquired

9. In addition to those named in Items 7 and 8, if any, list foreign principals² whom you continued to represent during the 6 month reporting period.

Federation of German Industries (Bundesverband der Deutschen Industrie / BDI)

Association of German Chambers of Industry and Commerce (Deutscher Industrie und Handelskammertag / DIHK)

10. EXHIBITS A AND B

(a) Have you filed for each of the newly acquired foreign principals in Item 8 the following:

Exhibit A ³	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Exhibit B ⁴	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If no, please attach the required exhibit.

(b) Have there been any changes in the Exhibits A and B previously filed for any foreign principal whom you represented during the 6 month period? Yes ☐ No ☒

If yes, have you filed an amendment to these exhibits? Yes ☐ No ☐

If no, please attach the required amendment.

² The term "foreign principal" includes, in addition to those defined in Section 1(b) of the Act, an individual organization any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign government, foreign political party, foreign organization or foreign individual. (See Rule 100(a) (9).) A registrant who represents more than one foreign principal is required to list in the statements he files under the Act only those principals for whom he is not entitled to claim exemption under Section 3 of the Act. (See Rule 208.)

³ The Exhibit A, which is filed on Form NSD-3 (Formerly CRM-157), sets forth the information required to be disclosed concerning each foreign principal.

⁴ The Exhibit B, which is filed on Form NSD-4 (Formerly CRM-155), sets forth the information concerning the agreement or understanding between the registrant and the foreign principal.

III - ACTIVITIES

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11. During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 7, 8, and 9 of this statement? Yes ☐ No ☐

If yes, identify each such foreign principal and describe in full detail your activities and services:

On the 26th of April, Werner Schnappauf, the chief executive of the Federation of German Industries, met with Commerce Under Secretary Francisco Sanchez, as well as Juan Verde, Deputy Assistant Secretary for Europe, Jay Burgess, Director of the Office of European Country Affairs in the Department of Commerce, and Alexander Gorshenin, Germany Desk Officer in the Commerce Department to discuss matters including transatlantic cooperation on energy issues and bilateral trade relations. Registrant RGIT facilitated these meetings.

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12. During this 6 month reporting period, have you on behalf of any foreign principal engaged in political activity⁵ as defined below? Yes ☐ No ☒

If yes, identify each such foreign principal and describe in full detail all such political activity, indicating, among other things, the relations, interests and policies sought to be influenced and the means employed to achieve this purpose. If the registrant arranged, sponsored or delivered speeches, lectures or radio and TV broadcasts, give details as to dates and places of delivery, names of speakers and subject matter.

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13. In addition to the above described activities, if any, have you engaged in activity on your own behalf which benefits any or all of your foreign principals? Yes ☒ No ☐

If yes, describe fully.

Registrant RGIT regularly reports in German and English to RGIT's principals and the member associations of the BDI on matters ranging from pending legislation to new policy initiatives. RGIT prepares brief written reports which are either posted to RGIT's website, www.rgit-usa.com, or distributed via e-mail to RGIT's principals, affiliated trade associations, and member companies. Among these publications is RGIT's weekly "Washington News", a German-language newsletter on current developments in areas ranging from trade policy to energy policy.

⁵ The term "political activities" means any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

IV - FINANCIAL INFORMATION

14. (a) RECEIPTS - MONIES

During this 6 month reporting period, have you received from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal, any contributions, income or money either as compensation or otherwise? Yes ☒ No ☐

If no, explain why.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies⁶.

Date	From whom	Purpose	Amount
2/9/2010	DIHK	Operating expenses	\$93,800
3/11/2010	"	"	\$107,288
4/22/2010	"	"	\$112,497
5/21/2010	"	"	\$30,477
6/7/2010	"	"	\$85,264
7/8/2010	"	"	\$118,541
8/13/2010	"	"	\$83,504

\$631,372

Total

(b) RECEIPTS - FUND RAISING CAMPAIGN

During this 6 month reporting period, have you received, as part of a fund raising campaign⁷, any money on behalf of any foreign principal named in items 7, 8, or 9 of this statement? Yes ☐ No ☒

If yes, have you filed an Exhibit D⁸ to your registration? Yes ☐ No ☐

If yes, indicate the date the Exhibit D was filed. Date _____

(c) RECEIPTS - THINGS OF VALUE

During this 6 month reporting period, have you received any thing of value⁹ other than money from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal?

Yes ☐ No ☒

If yes, furnish the following information:

Name of foreign principal	Date received	Description of thing of value	Purpose
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^{6, 7} A registrant is required to file an Exhibit D if he collects or receives contributions, loans, money, or other things of value for a foreign principal, as part of a fund raising campaign. (See Rule 201(e).)

⁸ An Exhibit D, for which no printed form is provided, sets forth an account of money collected or received as a result of a fund raising campaign and transmitted for a foreign principal.

⁹ Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

15. (a) **DISBURSEMENTS – MONIES**

During this 6 month reporting period, have you

(1) disbursed or expended monies in connection with activity on behalf of any foreign principal named in Items 7, 8, or 9 of this statement? Yes ☒ No ☐

(2) transmitted monies to any such foreign principal? Yes ☐ No ☐

If no, explain in full detail why there were no disbursements made on behalf of any foreign principal.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies, including monies transmitted, if any, to each foreign principal.

Date	To whom	Purpose	Amount
5/24/2010	Earl Thomas Coleman	Consulting fee	\$10,000
7/12/2010	"	"	\$10,000

\$20,000

Total

(b) DISBURSEMENTS – THINGS OF VALUE

During this 6 month reporting period, have you disposed of anything of value¹⁰ other than money in furtherance of or in connection with activities on behalf of any foreign principal named in Items 7, 8, or 9 of this statement?

Yes ☐ No ☒

If yes, furnish the following information:

Date disposed	Name of person to whom given	On behalf of what foreign principal	Description of thing of value	Purpose
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(c) DISBURSEMENTS – POLITICAL CONTRIBUTIONS

During this 6 month reporting period, have you from your own funds and on your own behalf either directly or through any other person, made any contributions of money or other things of value¹¹ in connection with an election to any political office, or in connection with any primary election, convention, or caucus held to select candidates for political office?

Yes ☐ No ☒

If yes, furnish the following information:

Date	Amount or thing of value	Name of political organization	Name of candidate
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^{10, 11} Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks" and the like.

V - INFORMATIONAL MATERIALS

16. During this 6 month reporting period, did you prepare, disseminate or cause to be disseminated any informational materials¹²?
 Yes ☒ No ☐

IF YES, RESPOND TO THE REMAINING ITEMS IN SECTION V.

17. Identify each such foreign principal.

Federation of German Industries (Bundesverband der Deutschen Industrie / BDI)

Association of German Chambers of Industry & Commerce (Deutscher Industrie und Handelskammertag / DIHK)

18. During this 6 month reporting period, has any foreign principal established a budget or allocated a specified sum of money to finance your activities in preparing or disseminating informational materials? Yes ☐ No ☒

If yes, identify each such foreign principal, specify amount, and indicate for what period of time.

19. During this 6 month reporting period, did your activities in preparing, disseminating or causing the dissemination of informational materials include the use of any of the following:

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Radio or TV broadcasts | <input checked="" type="checkbox"/> Magazine or newspaper articles | <input type="checkbox"/> Motion picture films | <input type="checkbox"/> Letters or telegrams |
| <input type="checkbox"/> Advertising campaigns | <input checked="" type="checkbox"/> Press releases | <input type="checkbox"/> Pamphlets or other publications | <input type="checkbox"/> Lectures or speeches |
| <input checked="" type="checkbox"/> Internet | <input type="checkbox"/> Other (specify) _____ | | |

20. During this 6 month reporting period, did you disseminate or cause to be disseminated informational materials among any of the following groups:

- | | | |
|---|---|---|
| <input type="checkbox"/> Public officials | <input type="checkbox"/> Newspapers | <input type="checkbox"/> Libraries |
| <input checked="" type="checkbox"/> Legislators | <input type="checkbox"/> Editors | <input type="checkbox"/> Educational institutions |
| <input type="checkbox"/> Government agencies | <input type="checkbox"/> Civic groups or associations | <input type="checkbox"/> Nationality groups |
| <input type="checkbox"/> Other (specify) _____ | | |

21. What language was used in the informational materials:

- ☒ English ☐ Other (specify) _____

22. Did you file with the Registration Unit, U.S. Department of Justice a copy of each item of such informational materials disseminated or caused to be disseminated during this 6 month reporting period? Yes ☒ No ☐

23. Did you label each item of such informational materials with the statement required by Section 4(b) of the Act? Yes ☒ No ☐

12 The term informational materials includes any oral, visual, graphic, written, or pictorial information or matter of any kind, including that published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise. Informational materials disseminated by an agent of a foreign principal as part of an activity in itself exempt from registration, or an activity which by itself would not require registration, need not be filed pursuant to Section 4(b) of the Act.

VI – EXECUTION

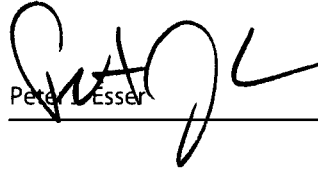
In accordance with 28 U.S.C. §1746, the undersigned swear(s) or affirm(s) under penalty of perjury that he/she has (they have) read the information set forth in this registration statement and the attached exhibits and that he/she is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her (their) knowledge and belief, except that the undersigned make(s) no representation as to the truth or accuracy of the information contained in the attached Short Form Registration Statement(s), if any, insofar as such information is not within his/her (their) personal knowledge.

(Date of signature)

(Type or print name under each signature¹³)

August 31, 2010

Peter Esser



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¹³ This statement shall be signed by the individual agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions, if the registrant is an organization, except that the organization can, by power of attorney, authorize one or more individuals to execute this statement on its behalf.

UNITED STATES DEPARTMENT OF JUSTICE
FARA REGISTRATION UNIT
NATIONAL SECURITY DIVISION
WASHINGTON, D.C. 20530

NOTICE

Please answer the following questions and return this sheet in triplicate with your Supplemental Statement:

1. Is your answer to Item 16 of Section V (Informational Materials – page 8 of Form NSD-2, formerly Form CRM-154 Supplemental Statement):

YES ☒ or NO ☐

(If your answer to question 1 is “yes” do not answer question 2 of this form.)

2. Do you disseminate any material in connection with your registration:

YES ☐ or NO ☐

(If your answer to question 2 is “yes” please forward for our review copies of all material including: films, film catalogs, posters, brochures, press releases, etc. which you have disseminated during the past six months.)

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PJL
Signature

8/31/2010
Date

PETER J. ESSER
Please type or print name of
Signatory on the line above

LEGAL COUNSEL
Title



U.S. Department of Justice

National Security Division

Washington, DC 20530

THIS FORM IS TO BE AN OFFICIAL ATTACHMENT TO YOUR CURRENT SUPPLEMENTAL
STATEMENT - PLEASE EXECUTE IN TRIPLICATE

SHORT-FORM REGISTRATION INFORMATION SHEET

SECTION A

The Department records list active short-form registration statements for the following persons of your organization filed on the date indicated by each name. If a person is not still functioning in the same capacity directly on behalf of the foreign principal, please show the date of termination.

Short Form List for Registrant: Representative of German Industry and Trade

Last Name	First Name and Other Names	Registration Date	Termination Date	Role
Esser	Peter Joseph Christian	12/16/1998		
Welschke	Bernhard	05/05/2006		

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U.S. Department of Justice

National Security Division

Washington, DC 20530

SECTION B

In addition to those persons listed in Section A, list below all current employees rendering services directly on behalf of the foreign principals(s) who have not filed short-form registration statements. (Do not list clerks, secretaries, typists or employees in a similar or related capacity). If there is some question as to whether an employee has an obligation to file a short-form, please address a letter to the Registration Unit describing the activities and connection with the foreign principal.

Name	Function	Date Hired

Signature: [Signature]

Date: 8/31/2010

Title: LEGAL COUNSEL

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REPRESENTATIVE OF GERMAN INDUSTRY AND TRADE

DELEGIERTER DER DEUTSCHEN WIRTSCHAFT

ASSOCIATION OF GERMAN
CHAMBERS OF INDUSTRY AND COMMERCE
D I H K

FEDERATION OF GERMAN
INDUSTRIES
B D I

July 22, 2010

The Honorable Steny Hoyer
Majority Leader, United States House of Representatives
H-107, The Capitol
Washington D.C. 20515

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Dear Majority Leader Hoyer,

On behalf of the Federation of German Industries and the Association of German Chambers of Industry and Commerce, we are writing to express serious concerns regarding legislation currently before Congress.

Specifically, the Foreign Manufacturers Legal Accountability Act, embodied in H.R. 4678 and S. 1606, presents foreign business entities, including those with significant investments in the United States, with a unique burden comprising both the requirement to appoint a registered agent in the United States, and to concurrently consent to the jurisdiction of a state to which the foreign manufacturer may in fact have only extremely limited connections.

Foreign manufacturers in any number of business sectors who import products to the United States are already obligated to register with the federal government, for example with the Food and Drug Administration in the case of pharmaceuticals, medical equipment and foodstuffs. As such, adding another layer of regulatory requirements overseen by various agencies that would likely implement disparate interpretations of the law could further complicate matters for foreign manufacturers. Moreover, the increased regulatory and bureaucratic burden would also quite probably have negative consequences for distributors or established affiliates in the United States acting on behalf of foreign manufacturers.

German industry is cognizant of the fact that flawed products of foreign origin do occasionally enter the U.S. market. In isolated instances, foreign manufacturers may

shirk their responsibility to the consumer when economic or material injury arises in connection with the purchase and use of defective products. But the overwhelming majority of foreign manufacturers produce quality goods and, where defects arise, undertake steps to make the consumer whole. While neither existing domestic nor international law offer the full scope of remedies necessary to enable an injured U.S. party to obtain compensation from a scofflaw manufacturer, it should be noted that even if H.R. 4678 was enacted and foreign manufacturers appointed registered agents, the absence of a guaranteed mechanism by which a judgment for money damages rendered in a U.S. court could be enforced against a foreign corporation with assets outside the United States would prove ultimately frustrating to the U.S. consumer.

Moreover, the bill may be violative of U.S. international treaty obligations under the U.S.-Germany Friendship, Commerce and Navigation Treaty, the World Trade Organization Agreements, the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, and the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters. Should the United States effectively withdraw as a signatory to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters by bypassing the treaty, international procedural law might revert back to a patchwork system of bilateral agreements and Letter Rogatory, which would ultimately fail to serve the best interests of any nation.

Another complicating factor lies in the fact that the "minimum amount" hurdle triggering the requirement to register for service of process is not set by the legislation. Rather, the different agencies referenced in the law would be required to establish the minimum amount for the products they regulate. The manager's amendment introduced in the June 30, 2010 markup in the House Energy and Commerce subcommittee did little to resolve the many ambiguities raised by the minimum amount issue. Given that the legislation affords a various governmental entities including the Food and Drug Administration, the Consumer Product Safety Commission, the Environmental Protection Agency, and the National Highway Traffic Safety Administration broad leeway with regard to establishing regulatory details, it is conceivable and even quite possible that for purposes of determining whether a foreign manufacturer lies above or below a "minimum amount" threshold, disclosure of revenues and volumes would have to be made to the government for scrutiny and approval. This is remarkably invasive, and could be reason enough for many foreign manufacturers to focus on other markets as an alternative to the United States, thus jeopardizing established trade connections and in some cases U.S. jobs.

Finally, the Foreign Manufacturers Legal Accountability Act could, should it become the law of the land, very likely prove to be immeasurably damaging to established international business relationships and most particularly could become a major impediment to further growth in transatlantic business. The perception that this is a

discriminatory bill may well lead to retaliatory measures on the part of trade partners. An in-kind response from foreign countries, including new regulations and the deluge of lawsuits against American manufacturers that would follow, would undeniably be deleterious to trade with negative consequences for all parties involved.

In view of the above, we respectfully request that you and others in Congress who have taken the initiative with regard to the Foreign Manufacturers Legal Accountability Act reconsider this legislation.

Sincerely,



Bernhard Welschke

President

Representative of German Industry and Trade

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About RGIT

The Representative of German Industry and Trade (RGIT) is the liaison office of the Federation of German Industries (BDI) and the Association of German Chambers of Industry and Commerce (DIHK) in Washington

RGIT represents the interests of the German business community vis-à-vis both the U.S. administration and the international organizations based in Washington, D.C. We report regularly on economically significant developments as well as legislative activities in the U.S. and provide our partners in the United States with information on German business.

RGIT cooperates with the German American chambers of Commerce in New York, Atlanta, San Francisco and Chicago. The fostering of bilateral trade relations and investment and the provision of consulting services to companies with business interests in the United States are among the key tasks of the chambers.

Additional information is on file with the Department of Justice.

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